

Notice of Allowability	Application No.	Applicant(s)	
	09/829,392	I'ANSON ET AL.	
	Examiner	Art Unit	
	Nicholas D. Rosen	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 6/21/2005.
2. ☒ The allowed claim(s) is/are 36,37,39-41,43,44 and 55-58.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Claims 36, 37, 39, 40, 41, 43, 44, and 55-58 have been examined.

Allowable Subject Matter

Claims 36, 37, and 39 are allowed.

Claims 40, 41, and 43 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Hill et al. (U.S. Patent Application Publication 2002/0078363), discloses a shopping assistance method, comprising: using a user-portable device to (a) electronically capture item data about items of interest at at least one store (Abstract; paragraphs 15, 89, 91, and 94); and subsequently using the captured data to present to the user, via user apparatus, information about the shopping trip comprising information about the items of interest for which item data was captured (paragraphs 15, 90, 91, and 94). Hill does not disclose capturing item data at the premises of two or more stores visited by a user during a shopping trip, electronically capturing store data indicative of the identity of the stores, the item data being associated with the store data for that store, and presenting to the user for each item, the identity of the store indicated by the associated store data; but Iudica ("Finding the Best Price: A Compromise") teaches capturing item data at a plurality of stores, the item data being associated with corresponding store data, the identity of the corresponding store being indicated for each set of item data (throughout article, although this is store data, rather than location data, strictly speaking). However, neither Hill, Iudica, nor any other prior art of record

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discloses using a user-portable device or user apparatus to derive store identify by using a service system to translate associated location data into the identity of a store. It is known to locate stores selling desired items (Fan, U.S. Patent 6,664,922, for example), but this is not the same. Kovacs (U.S. Patent 6,542,813) teaches a database of geolocation information, but without any suggestion of translating location data into the identity of a store.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 55 and 56 are allowed.

Claims 57 and 58 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Hill et al. (U.S. Patent Application Publication 2002/0078363), discloses a shopping assistance method, comprising: using a user-portable device to electronically capture at a store item data about at least one items of interest at the store (Abstract; paragraphs 15, 89, 91, and 94). Hill does not disclose capturing location data indicative of the location of the store, the item data being associated with the location data for the store; but Iudica ("Finding the Best Price: A Compromise") teaches capturing item data at a plurality of stores, the item data being associated with corresponding store data, the identity of the corresponding store being indicated for each set of item data (throughout

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article, although this is store data, rather than location data, strictly speaking).

However, neither Hill, Ludica, nor any other prior art of record discloses using a service system to translate the location data into the store identity data, with the associated item data being used to resolve ambiguities in translating the location data to a store identity.

It is known to locate stores selling desired items (Fan, U.S. Patent 6,664,922, for example), but this is not the same. Kovacs (U.S. Patent 6,542,813) teaches a database of geolocation information, but without any suggestion of translating location data into the identity of a store, still less of using associated item data to resolve ambiguities.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fano (U.S. Patent 6,317,718) discloses a system, method, and article of manufacture for location-based filtering for a shopping agent in the physical world. Kovacs (U.S. Patent 6,542,813) discloses a system and method for automatic managing of geolocation information and associated references for geographic information systems. Fan (U.S. Patent 6,664,922) discloses a method for distributing location-relevant information using a network.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen, whose telephone number is 571-272-6762. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins, can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Non-official/draft communications can be faxed to the examiner at 703-571-6763.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas D. Rosen
NICHOLAS D. ROSEN
PRIMARY EXAMINER

September 1, 2005